UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,193	10/29/2001	Damon John Ennis	10.0418	4132

22474   7590   01/12/2006

DOUGHERTY CLEMENTS
1901 ROXBOROUGH ROAD
SUITE 300
CHARLOTTE, NC 28211

EXAMINER
MURPHY, RHONDA L

ART UNIT	PAPER NUMBER
2667	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/003,193	ENNIS ET AL.
	Examiner	Art Unit	
	Rhonda Murphy	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
      closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.
      4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-30* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>29 October 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
      Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
      Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
      a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
            application from the International Bureau (PCT Rule 17.2(a)).
      * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   Paper No(s)/Mail Date. _____.
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   5)☐ Notice of Informal Patent Application (PTO-152)
      Paper No(s)/Mail Date _____.   6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Bracho

et al. (US 5,974,417).

Regarding claims 1, 7 and 13, Bracho teaches a communication system comprising a

plurality of modules (Fig. 1), a method implemented by a communication coordinator on

a particular module, an apparatus residing on a particular module and computer

readable medium (col. 4, lines 32-35) for selectively delivering a broadcast message

(col. 4, lines 50-57), comprising: receiving a broadcast message, said broadcast

message being broadcasted by one of said plurality of modules to said plurality of

modules including said particular module (col. 5, lines 5-24); determining whether there

are any recipient components local to said particular module that should receive said

broadcast message (col. 5, lines 20-24; col. 8, lines 22-30); and in response to a

determination that there is one or more recipient components for said broadcast

message, delivering said broadcast message to said one or more recipient components

(col. 5, lines 20-24; col. 8, lines 22-30).

Regarding claims 2, 8 and 14, Branch teaches foregoing delivery of said message in response to a determination that there are no recipient components for said broadcast message, (col. 5, lines 21-24; col. 11, lines 1-5).

Regarding claims 3, 9 and 15, Bracho teaches a method, apparatus and computer readable medium wherein said broadcast message is a publication message (col. 4, lines 56-57), and wherein determining whether there are any recipient components comprises: determining whether any components local to said particular module have subscribed to receive said publication message (col. 5, lines 21-24).

Regarding claims 4, 10 and 16, Bracho teaches a method, apparatus and computer readable medium wherein said broadcast message is a publication message that has been published to a particular namespace (col. 5, lines 5-17, 63-67; col. 6, lines 1-23), and wherein determining whether there are any recipient components comprises: determining whether any components local to said particular module have subscribed to receive messages published to said particular namespace (col. 5, lines 21-24).

Regarding claims 5, 11 and 17, Bracho teaches a method, apparatus and computer readable medium wherein said particular module comprises a subscribers table comprising one or more entries, each entry comprising a namespace specification and a reference to a subscribing component (Fig. 7, col. 10, lines 35-64), and wherein determining whether any components local to said particular module have subscribed to receive messages published to said namespace comprises: searching said subscribers table for an entry having a namespace specification that matches said particular namespace (col. 10, lines 65-67; col. 11, lines 1-25).

Regarding claims 6, 12 and 18, Bracho teaches a method, apparatus and computer readable medium wherein searching said subscribers table comprises: selecting a particular entry; determining whether the namespace specification in said particular entry comprises a namespace expression having one or more wildcards (col. 8, lines 22-30; col. 9, lines 5-25); and in response to a determination that the namespace specification in said particular entry comprises a namespace expression having one or more wildcards, performing a pattern matching operation to determine whether said namespace expression matches said particular namespace (col. 11, lines 1-26).

Regarding claims 19, Bracho teaches a communication system comprising a plurality of modules (Fig. 1), a method for selectively delivering a broadcast message (col. 4, lines 50-57), comprising: broadcasting, by a first module in said communication system, a broadcast message to a plurality of other modules in said communication system (col. 4, lines 50-57); receiving, by each of said other modules, said broadcast message (col. 4, lines 64-67; col. 5, lines 1-24); and processing, by each of said other modules, said broadcast message by: determining whether there are any local components that should receive said broadcast message (col. 5, lines 20-24; col. 8, lines 22-30); and in response to a determination that there is one or more local components that should receive said broadcast message, delivering said broadcast message to said one or more local components (col. 5, lines 20-24; col. 8, lines 22-30).

Regarding claims 20, Bracho teaches the same limitations described above in the rejection of claim 2.

Regarding claims 21, Bracho teaches the same limitations described above in the rejection of claim 3.

Regarding claims 22, Bracho teaches the same limitations described above in the rejection of claim 4.

Regarding claims 23, Bracho teaches the same limitations described above in the rejection of claim 5.

Regarding claims 24, Bracho teaches the same limitations described above in the rejection of claim 6.

Regarding claims 25, Bracho teaches a communication system, comprising: a first module; and a plurality of other modules (Fig. 1); wherein said first module broadcasts a broadcast message to said plurality of other modules (col. 4, lines 50-57); wherein each of said plurality of other modules receives said broadcast message (col. 4, lines 64-67; col. 5, lines 1-24); and wherein each of said other modules processes said broadcast message by: determining whether there are any local components that should receive said broadcast message (col. 5, lines 20-24; col. 8, lines 22-30); and in response to a determination that there is one or more local components that should receive said broadcast message, delivering said broadcast message to said one or more local components (col. 5, lines 20-24; col. 8, lines 22-30).

Regarding claims 26, Bracho teaches the same limitations described above in the rejection of claim 2.

Regarding claims 27, Bracho teaches the same limitations described above in the rejection of claim 3.

Regarding claims 28, Bracho teaches the same limitations described above in the

rejection of claim 4.

Regarding claims 29, Bracho teaches the same limitations described above in the

rejection of claim 5.

Regarding claims 30, Bracho teaches the same limitations described above in the

rejection of claim 6.

Conclusion

1.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

*Todd et al. (US 6,643,682) discloses a publish/subscribe data processing with

subscription points for customized message processing.

*Bhatt et al. (US 6,405,191) discloses a content bases publish-and-subscribe

system integrated in a relational database system.

*Bolam et al. (US 6,334,151) discloses a publish and subscribe data processing

apparatus, method and computer program product with declaration of a unique

publisher broker.

*Kampe et al. (US 2002/0016867) discloses a cluster event service method and

system.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Rhonda Murphy whose telephone number is (571) 272-

3185. The examiner can normally be reached on Monday - Friday 8:00 - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rhonda Murphy
Examiner
Art Unit 2667

rlm

CHI PHAM
SUPERVISORY PATENT EXAMINER
1/9/06